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Application No. 10/698,842
Amendment dated October 24, 2005
Reply to Office Action of August 23, 2005

Application No.: 10/698,842
Applicant: Ovidiu Marin, et al.
Filed: October 31, 2003
Title: HYBRID OXYGEN-FIRED POWER GENERATION
SYSTEM
TC/A.U.: 3746
Examiner: Louis J. Casaregola
Docket Number: Serie 6388
Customer No.: 40582

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION

Sir:

In response to the Office Action of August 23, 2005, please amend the
application as follows:

Remarks/Arguments begin on page 2 of this paper.

Application No. 10/698,842
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Remarks/Arguments

Applicants thank the Examiner for the Office Action of August 23, 2005 in which a restriction requirement was made between Group I (claims 1-3) and Group II (claims 4-37) and an election of species was required for Figures 1 and 2. In full response to the restriction and election requirements, Applicants elect Group I and the invention of Figure 1 with traverse. Applicants respectfully submit that all of the claims are readable upon Figure 1.

In order to properly require a restriction between various groups and an election between different species according to US PTO restriction practice, the Examiner must not only show that the Groups are distinct, the Examiner must also that search and examination of all the Groups would be burdensome. In this case, the Examiner failed to make such a showing.

The examiner is invited to call the undersigned attorney at the number listed below if it is believed that a telephone call would expedite the prosecution of the application.

Respectfully submitted,



Christopher J. Cronin
Registration No., 46,513

Date: October 24, 2005
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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile to telephone number 571-273-8300 on this 24th day of October, 2005.



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UTILITY PATENT APPLICATION TRANSMITTAL (New Nonprovisional Applications Under 37 CFR § 1.53(b))	Attorney Docket No. 6388
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TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of inventors Ovidiu MARIN and Scott MACADAM entitled HYBRID OXYGEN-FIRED POWER GENERATION SYSTEM, for a(n):

☐ Original Patent Application.

☒ Continuing Application (prior application not abandoned):

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) ☒ Regular Filing of Provisional of prior Application Serial No. 60/425,817 filed on 13 November 2002.
☐ A statement claiming priority under 35 USC § 120 has been added to the specification.

☐ Applicant claims small entity status.

Enclosed are:

☒ Specification including nineteen (19) pages of specification, nine (9) pages of claims (Claims 1-37), one (1) page of Abstract and ten (10) sheets of drawings (Fig. 1-6 and Table 7-10).

☒ Oath or Declaration:

☐ A Newly Executed Combined Declaration and Power of Attorney:

☐ Signed. ☒ Unsigned. ☐ Partially Signed.

☐ A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

☐ Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

☐ Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

☒ Return Receipt Postcard.

☐ Power of Attorney.

☐ Associate Power of Attorney.

☐ A Check in the amount of \$ for the Filing Fee.

☐ Preliminary Amendment.

☐ Information Disclosure Statement and Form PTO-1449.

☐ A Certified Copy of Priority Documents (if foreign priority is claimed).

☐ Other:

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	-20		\$18.00	
Independent Claims	-3		\$86.00	
Multiple Dependent Claims (if applicable) (\$290)				
Basic Filing Fee \$ 770.00				
Total Filing Fee				

- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0930. A duplicate copy of this sheet is enclosed.
☐ Any additional filing fees required under 37 CFR § 1.16.
☐ Any patent application processing fees under 37 CFR § 1.17.

Respectfully submitted,

By: Charles C. Kinne

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Registration No. 31,631

Date: 31 October 2003

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